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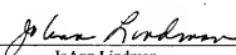
In re: Richard C. Gunderson Confirmation No.: 1209
Serial No.: 10/749,499 Examiner: Theodore J. Stigell
Filing Date: December 29, 2003 Group Art Unit: 3763
Docket No.: 1001.1733101 Customer No.: 28075
For: MEDICAL DEVICE WITH MODIFIED MARKER BAND

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AFTER FINALCERTIFICATE FOR ELECTRONIC TRANSMISSION:

The undersigned hereby certifies that this paper or papers, as described herein, are being electronically transmitted to the U.S. Patent and Trademark Office on this 31st day of December, 2008.

By _____


JoAnn Lindman

Dear Sir:

This paper is in response to the Final Office Action mailed November 21, 2008, with a shortened statutory period set to expire on February 21, 2009.

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 50-0413.

Please consider the following amendments and/or remarks:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.